

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|-------------------------------|-----------|---------------------------------|
| IN RE: Angela L. Cephas | Debtor | CHAPTER 13 |
| PNC BANK NATIONAL ASSOCIATION | Movant | |
| vs. | | |
| Angela L. Cephas | Debtor | NO. 19-13271 ELF |
| Jeffrey Cephas | Co-Debtor | |
| William C. Miller Esq. | Trustee | 11 U.S.C. Sections 362 and 1301 |

**MOTION OF PNC BANK NATIONAL ASSOCIATION
FOR RELIEF FROM THE AUTOMATIC STAY
UNDER SECTION 362 AND THE CO-DEBTOR STAY UNDER SECTION 1301**

1. Movant is PNC BANK NATIONAL ASSOCIATION.
2. Debtor Angela L. Cephas and Co-Debtor Jeffrey Cephas are the owners of the premises 69 Bartram Avenue, Lansdowne, PA 19050, hereinafter referred to as the mortgaged premises.
3. Movant is the holder of a mortgage, original principal amount of \$178,489.00 on the mortgaged premises that was executed on July 26, 2007 by Debtor Angela L. Cephas and Co-Debtor Jeffrey Cephas as co-mortgagors. Said mortgage was recorded on July 30, 2007 at Instrument No. 2007067705 in Delaware County. Documentation attached hereto as Exhibit A is provided in support of right to seek a lift of stay and foreclose if necessary.
4. Co-Debtor Jeffrey Cephas, who has not filed for bankruptcy in this case, is liable on the mortgage loan secured by the aforesaid mortgage together with the Debtor Angela L. Cephas.
5. William C. Miller Esq., is the Trustee appointed by the Court.
6. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by the filing of a Chapter 13 Petition in Bankruptcy by the Debtor.

7. Debtor and Co-Debtor have failed to make the monthly post-petition mortgage payments in the amount of \$1,678.64 for the months of June 2020 through July 2020 and \$1,566.28 for the month of August 2020.

8. In addition to the other amounts due to Movant reflected in this Motion, as of the date hereof, in connection with seeking the relief requested in this Motion, Movant has also incurred \$1,050.00 in legal fees and \$181.00 in legal costs. Movant reserves all rights to seek an award or allowance of such fees and expenses in accordance with applicable loan documents and related agreements, the Bankruptcy Code and otherwise applicable law.

9. The total amount necessary to reinstate the loan post-petition, less suspense balance of \$1,637.58 is \$3,285.98 (plus attorney's fees & costs).

10. Movant is entitled to relief from the automatic stay for cause pursuant to 11 U.S.C. § 362(d).

11. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Automatic Stay under Section 362 and the Codebtor Stay under Section 1301 of the Bankruptcy Code, so as to permit Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgaged premises. Further, Movant prays that an Order be entered awarding Movant the costs of this suit, including reasonable attorney's fees in accordance with the mortgage, loan documents and related agreements, and current law, together with interest.

/s/Rebecca A. Solarz, Esquire

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